

Remarks:

Applicant has carefully studied the final Examiner's Action mailed 04/20/2006, having a shortened statutory period for response set to expire 07/20/2006, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings that correspond to the centered headings employed by the Office, to ensure full response on the merits to each finding of the Office.

Drawings

Applicant thanks the Office for approving the replacement drawing sheet.

Specification

Applicant thanks the Office for accepting the amendments to the specification.

Claim Objections

Applicant thanks the Office for accepting the claim amendments.

Claim Rejections – 35 U.S.C. § 112

Applicant thanks the Office for acknowledging that the rejection based upon 35 U.S.C. § 112 has been overcome.

Claim Rejections – 35 U.S.C. § 102

Applicant acknowledges the quotation of 35 U.S.C. § 102(b).

Claim 11 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Lee.

Reconsideration and withdrawal of this ground of rejection is requested because claim 11, as currently amended, now recites that Applicant's slide member has a first, lower surface that slideably engages a syringe barrel and a second, upper surface that supports a finger or a thumb.

Applicant believes that no Request For Continued Examination is required in this case because the amendment made herein merely incorporates the Office's suggestion that claim 11 as amended did not recite that Applicant's slide member has a first, lower surface that slideably engages a syringe barrel and a second, upper surface that supports a finger or a thumb. Claim 11 as currently amended recites that feature of the invention.

Allowable Subject Matter

Claims 1, 3-10 stand allowed.

Claims 12-15 stand objected to as depending from a rejected base claim, but also stand allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. However, the Office, in its Response to Arguments, points out that claim 11, the base claim, would be allowable if it included a limitation that the slide member has a first, lower surface that slideably engages a first, upper surface of the barrel and a second, upper surface that supports a finger or a thumb. Independent claim 11, as currently amended, includes such limitation, thereby placing claim 11 in condition for allowance in the absence of any further search or further consideration. It follows that claims 12-15 therefore need not be rewritten in independent form but are allowable as being dependent from allowable independent claim 11.

Response to Arguments

Applicant thanks the Office for pointing out that Applicant had argued but not claimed the limitation added to claim 11 in this amendment.

Conclusion

If the Office determines that a Request For Continued Examination is required in this case, a telephone call to the undersigned at (813) 925-8505 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,

SMITH & HOPEN

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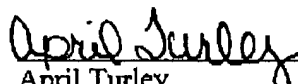
pc: Michael E. Nerney, M.D.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.10)

I HEREBY CERTIFY that this Amendment AF, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Attn: Mr. Theodore J. Stigell, Art Unit 3763, (571) 273-8300, on May 2, 2006.

Dated: May 2, 2006


April Turley